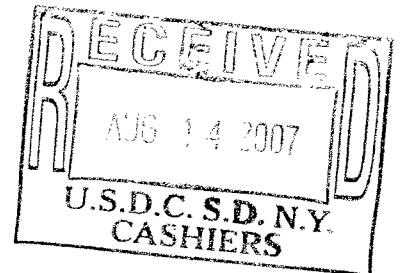


07 CV 7251

Slade R. Metcalf (SM 8360)
Katherine M. Bolger (KB 6206)
Jason P. Conti (JC 0581)
Hogan & Hartson LLP
875 Third Avenue
New York, NY 10022
Telephone: (212) 918-3000
Facsimile: (212) 918-3100

*Attorneys for Defendant
Twentieth Century Fox Film Corporation*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
FELIX CEDENO,

Plaintiff,

– against –

20th CENTURY FOX FILM CORP.,
ONE AMERICA PRODUCTIONS, INC.,
AND LARRY CHARLES

Defendants.
-----X

Case No.: _____

**NOTICE OF REMOVAL OF DEFENDANT
TWENTIETH CENTURY FOX FILM CORPORATION**

TO: CLERK, UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant Twentieth Century Fox Film Corporation (“Fox”), by its undersigned counsel, hereby files this Notice of Removal of the action styled *Felix Cedenov. 20th Century Fox Film Corp., One America Productions, Inc., and Larry Charles*, Index Number 16957/07, currently pending in the Supreme Court of the State of New York, County of Bronx (the “State Court Action”), and state as follows:

1. Plaintiff Felix Ceden0 ("Plaintiff") filed a Summons and Verified Complaint (the "Complaint") with the Supreme Court of the State of New York, County of Bronx, on July 2, 2007. A true and correct copy of the Summons and Complaint are attached hereto as Exhibit A.

2. The Summons and Complaint were served on Fox by personal service on July 25, 2007. Upon information and belief, at the time of this Notice, no other defendant has been properly served or joined in this action.

3. Fox, at the time this action was filed and as of the date of this Notice, was and is a corporation incorporated under the laws of the State of Delaware, having its principal place of business in California.

4. Upon information and belief, defendant One America Productions, Inc. ("One America"), at the time this action was filed and as of the date of this Notice, was and is a corporation incorporated under the laws of California, having its principal place of business in California. Plaintiff alleges in paragraph 4 of the Complaint that One America is a foreign corporation.

5. Upon information and belief, and according to paragraph 5 of the Complaint, defendant Larry Charles, at the time this action was filed and as of the date of this Notice, was and is a citizen of the State of California.

6. According to the Complaint, Plaintiff, was and is a citizen of the State of New York. (Complaint ¶ 2.)

7. The amount in controversy in this action, exclusive of interest and costs, exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00). In the Complaint, Plaintiff seeks damages for misappropriation in an amount of \$250,000.00 and punitive damages in an amount of \$2,000,000.00. (Complaint ¶¶ 10, 13.)

8. This court has original jurisdiction over this action pursuant to the provisions of 28 U.S.C. § 1332, because Plaintiff and Defendant Fox, the only-served defendant in this action, and defendants Larry Charles and One America, were and are citizens of different states and the amount of controversy is in excess of \$75,000.00, exclusive of interests and costs.

9. This action is properly removed to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. § 1441(a), in that said District Court embraces the state court where the State Court Action was filed.

10. Fox desires to remove this action to this Court and submit this Notice, along with all other process, pleadings and orders that have been served upon it. *See* Exhibit A. Fox has not filed an appearance, answer or other pleadings in the State Court Action. Fox is not aware of any other process, pleadings, or orders filed in the State Court Action.

11. Written notice of the filing of this Notice of Removal is being given to Plaintiff. A copy of this Notice of Removal and supporting papers is being filed with the Supreme Court of the State of New York, County of Bronx, as required by 28 U.S.C. § 1446(d).

12. This Notice is filed with this Court within 30 days after Fox was formally served with a Summons in this case. Removal is, therefore, timely pursuant to 28 U.S.C. § 1446(b) and *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999).

13. Fox does not waive any objections it may have to service, jurisdiction, or venue, and any other defenses or objections to this action.

WHEREFORE, Defendant Twentieth Century Fox Film Corporation prays that the State Court Action be removed to this Court.

Dated: August 14, 2007

Respectfully submitted,

HOGAN & HARTSON LLP

By: 

Slade R. Metcalf (SM 8360)

Katherine M. Bolger (KB 6206)

Jason P. Conti (JC 0581)

HOGAN & HARTSON LLP

875 Third Avenue

New York, New York 10022

Tel. (212) 918-3000

Fac. (212) 918-3100

Attorneys for Defendant

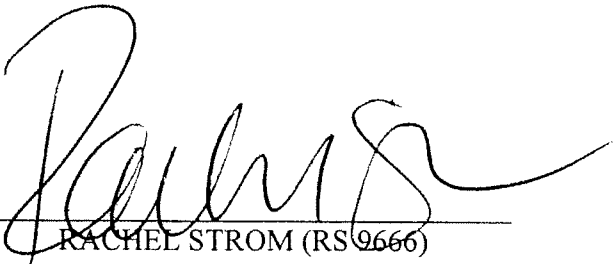
Twentieth Century Fox Film Corporation

CERTIFICATE OF SERVICE

I, Rachel Strom, hereby certify that on August 14, 2007 I caused a true and correct copy of the foregoing Notice of Removal of Defendant Twentieth Century Fox Film Corporation to be served upon:

Brian J. Daly, Esq.
Hawkins Feretic & Daly, LLP
11 Broadway, 3rd Floor
New York, New York 10004
Attorneys for Plaintiff

by Federal Express.



RACHEL STROM (RS 9666)